

LOLITA PENNINGTON V. SHARANJIT PARMAR, ET AL.
Ralph D. Scott on 01/09/2018

Page 1

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF MISSISSIPPI
3 OXFORD DIVISION
4
5 LOLITA PENNINGTON, INDIVIDUALLY AND AS
6 REPRESENTATIVE OF THE ESTATE AND WRONGFUL
7 DEATH BENEFICIARIES OF ANDRIANA HALL PLAINTIFFS
8 V. CIVIL ACTION NO. 3:16cv248-NBB-JMV
9 SHARANJIT PARMAR, PARMAR TRUCKLINES,
10 UPS GROUND FREIGHT, INC. A/K/A
11 UNITED PARCEL SERVICE DEFENDANTS

12
13
14 VIDEO DEPOSITION OF DR. RALPH D. SCOTT
15 Held on Tuesday, January 9, 2018, at 10:13 a.m., in the
16 offices of Bridgforth & Buntin, PLLC, 5293 Getwell Road,
17 Southaven, Mississippi, at the instance of the Defendant, UPS
18 Ground Freight, Inc., a/k/a United Parcel Service

19
20 Appearances Noted Herein

21
22 Reported by: Karen C. Popernik, MS CCR 1276, TN LCR 469

23
24
25 Huseby File No. 189006

LOLITA PENNINGTON V. SHARANJIT PARMAR, ET AL.
Ralph D. Scott on 01/09/2018

Page 2

1 APPEARANCES:

2 REPRESENTING THE PLAINTIFFS:

3 TAYLOR BUNTIN, ESQUIRE

4 Bridgforth & Buntin, PLLC

5 5293 Getwell Road

6 Southaven, Mississippi 38672

7 662.393.4450

8 Taylor@bridgforthbuntin.com

9

10 REPRESENTING THE DEFENDANT, UPS GROUND FREIGHT, INC., A/K/A
11 UNITED PARCEL SERVICE:

12 RONNA D. KINSELLA, ESQUIRE

13 Glassman, Wyatt, Tuttle & Cox, P.C.

14 26 North Second Street

15 Memphis, Tennessee 38103

16 901.527.4673

17 Rkinsella@gwtclaw.com

18

19

20

21

22

23

24

25

LOLITA PENNINGTON V. SHARANJIT PARMAR, ET AL.
Ralph D. Scott on 01/09/2018

Pages 22..25

<p style="text-align: right;">Page 22</p> <p>1 material that did not impact my opinion, which was why it was 2 not attached to my report as an exhibit. 3 Q. Okay. So the W-2s were not attached because they 4 didn't really affect your opinion. 5 A. That's correct. 6 Q. Okay. All right. I'm going to mark the W-2s, then, 7 as the collective exhibit. That will be Exhibit I. 8 (2015 AND 2016 W-2 INFORMATION MARKED AS 9 EXHIBIT I.) 10 Q. Okay. All right. I just want to run through these 11 briefly. I don't know that I'm going to mark all of these as 12 exhibits. 13 In your file, looks like there is a letter 14 enclosing documents that were received from Rust College. Is 15 that correct? 16 A. Yes. 17 Q. And who is that letter from? 18 A. Taylor Buntin, Stewart Matthews and -- well -- and 19 Robert Cox? Oh. I'm sorry. Let's see. Maybe James Simpson? 20 Q. Okay. And so there's no actual documents attached to 21 that letter. Correct? 22 A. I think this -- and there are not. I think probably 23 this is a cover letter, though, that ultimately was associated 24 with the various transcripts that I received. 25 Q. Okay.</p>	<p style="text-align: right;">Page 24</p> <p>1 with respect to the Rust documents that have all the 2 transcripts. There is a time dimension as to when I actually 3 started my computations. And if you will look at my tables -- 4 okay -- 5 Q. The ones attached to the report? 6 A. These are attached. Yes. This is part of Exhibit A. 7 You can see that I didn't run any earning capacity for 8 Scenario 2 and -- (reviews.) I didn't run any computations for 9 2017 and '18 for Scenario 1, which is concerned with some 10 college so that assumes she would have been in college at least 11 another year, plus the past period that I didn't consider. And 12 then for Scenario 2, which is actually Table 2, actually 13 allowed another two years before I assumed that she would have 14 finished college. 15 So those, at least, have some significance in 16 that I was able to tell from those transcripts that she was 17 somewhere between her first and second year in terms of credits 18 completed, which then allowed another passage of time before I 19 started running my earning capacity computations. 20 Q. Okay. 21 A. I didn't feel like it was anything that had to be 22 cited and attached, but it did enter in in that manner. 23 Q. Okay. 24 A. And I think my narrative basically makes it clear as 25 to when I actually started each set of computations.</p>
<p style="text-align: right;">Page 23</p> <p>1 A. And you know that since the Plaintiff's counsel 2 dumped on you the -- the -- the whole set of documents for this 3 case that I actually received all the pleadings. 4 Q. Right. 5 A. And everything that I might or might not have 6 possibly been interested in. 7 Q. Okay. 8 A. So this is just one of those documents. 9 Q. Okay. 10 A. I think I printed it as being indicative that -- that 11 basically Rust did make a transmission of documents, and I 12 think the transcripts are contained in there later, too. 13 Q. Okay. 14 A. Looks to me like this is a cover letter for those 15 transcripts. 16 Q. And this may short circuit a little bit, but in going 17 to what you actually used and relied upon in support of the 18 opinions contained in your report, the documents like this and 19 the ones that you said -- and I'm going to use your term so 20 don't -- I don't want Plaintiff's counsel to get mad at me -- 21 that Plaintiff's counsel dumped on us, those documents, if they 22 weren't actually included in your report, is it safe for me to 23 assume that you did not rely upon those documents in support of 24 your opinions? 25 A. Yeah. Well, let me be careful with one thing there</p>	<p style="text-align: right;">Page 25</p> <p>1 Q. Okay. All right. 2 A. I hope that's not confusing. 3 Q. No. I understand perfectly. 4 All right. So, then, going back to your file 5 materials again, it looks like there are -- and I'm not going 6 to go into all of these, but there is a series of media 7 articles or media blogs about the accident. Correct? 8 A. Yes. 9 Q. Okay. Let me get to the bottom of these here. And 10 were these documents that you pulled or were these documents 11 that were provided to you by the Plaintiff? 12 A. So -- so -- they were provided by the Plaintiff. 13 Q. Okay. 14 A. They were included in those drop box items that we'll 15 continue to say were dumped because it was a bunch of documents 16 dumped on me as well. As I started wading through those 17 documents preliminarily, I printed out some things just that I 18 thought might be useful to me at some point. And there is some 19 factual information in those newspaper accounts that I thought 20 could be useful. And possibly I pulled some dates out of 21 there. 22 Q. Okay. You mentioned some -- that you -- okay. Let 23 me back up. That was a bad start to a question. I apologize. 24 I think I heard you just say that you pulled some factual 25 information out of these articles that you thought might be</p>

LOLITA PENNINGTON V. SHARANJIT PARMAR, ET AL.

Ralph D. Scott on 01/09/2018

Pages 26..29

<p style="text-align: right;">Page 26</p> <p>1 useful to you in your report. Is that --</p> <p>2 A. Somewhere I got date of birth, date of death, and it</p> <p>3 may have been in those articles. Alternatively, Mr. Peel may</p> <p>4 have given that to me.</p> <p>5 Q. Okay.</p> <p>6 A. But those are parameters of computation that factor</p> <p>7 into my analysis.</p> <p>8 Q. Okay. Specifically as it relates to these articles,</p> <p>9 though, that you pulled for me for today, is there any -- and</p> <p>10 I'll let you -- by all means, please look at them. Is there</p> <p>11 anything specific in those articles that you say you've relied</p> <p>12 upon or that you've used or that had some impact on your report</p> <p>13 and your analysis in this case?</p> <p>14 A. Other than the possible dates that I pulled out of</p> <p>15 these or could have pulled out of these, I don't think there's</p> <p>16 anything else.</p> <p>17 Q. Okay. Well, then, we'll skip over the rest of that.</p> <p>18 A. It's factual data, but in terms of my opinion,</p> <p>19 obviously, those facts are --</p> <p>20 Q. Okay.</p> <p>21 A. -- assumed into my opinion.</p> <p>22 Q. Okay. And then, I think, this was -- the next set of</p> <p>23 documents looks to be those documents from Rust College that we</p> <p>24 talked about. Looks like Hinds Community College, Northwest</p> <p>25 Mississippi Community College transcript. These are in here.</p>	<p style="text-align: right;">Page 28</p> <p>1 Q. And, then, Dr. Scott, it looks like the last thing in</p> <p>2 here appears to be a copy of what purports to be the First</p> <p>3 Amended Complaint in this case. Is that correct?</p> <p>4 A. Yes.</p> <p>5 Q. And you do understand that that First Amended</p> <p>6 Complaint is not actually part of this case. Correct?</p> <p>7 A. I don't.</p> <p>8 Q. Okay. Did you rely upon that in any way since it's</p> <p>9 part of your file materials?</p> <p>10 A. Not really. I think I probably printed this out just</p> <p>11 with the thought that it might contain some underlying factual</p> <p>12 information that I would use.</p> <p>13 Q. Okay. Is there any specific factual information that</p> <p>14 you recall reviewing in this First Amended Complaint -- and,</p> <p>15 again, I'm more than happy to let you look at it -- that you</p> <p>16 actually used in either creating or supporting your opinions in</p> <p>17 this case?</p> <p>18 A. (Reviews.) So I think some of the factual things</p> <p>19 would have factored in. For example, here's the date of death</p> <p>20 that I definitely factored into my analysis. I can't tell you</p> <p>21 if I got it from here or the newspaper. I had to have that</p> <p>22 information so -- it is contained in the Complaint. (Reviews.)</p> <p>23 I don't think there's anything else in there.</p> <p>24 Q. Okay. All right. Okay. I'm going to give you what</p> <p>25 is left right now of your file materials back.</p>
<p style="text-align: right;">Page 27</p> <p>1 Correct?</p> <p>2 A. Yes.</p> <p>3 Q. Okay.</p> <p>4 A. And there actually is a Rust application that may --</p> <p>5 that may be where I got the dates.</p> <p>6 Q. Okay.</p> <p>7 A. I'm not sure where I got the dates.</p> <p>8 Q. So we have some of the transcripts, it looks like.</p> <p>9 Okay. All right. From these specific documents</p> <p>10 that you pulled out for Rust College, is that -- and correct me</p> <p>11 if I'm wrong. Is that all the documents that you received from</p> <p>12 the Plaintiff related to the Plaintiff's collegiate history?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. And were those documents relied upon by you in</p> <p>15 support of your opinions in this case --</p> <p>16 A. Only --</p> <p>17 Q. -- beyond what we've talked about?</p> <p>18 A. Yeah. I don't think beyond what we've already talked</p> <p>19 about.</p> <p>20 Q. Okay. All right. I am going to go ahead and make --</p> <p>21 since you pulled these out for me, I'm going to go ahead and</p> <p>22 make these documents with the cover letter from Rust College as</p> <p>23 the next collective exhibit. It looks like it will be</p> <p>24 collective Exhibit J.</p> <p>25 (COLLEGE TRANSCRIPTS MARKED AS EXHIBIT J.)</p>	<p style="text-align: right;">Page 29</p> <p>1 A. Okay.</p> <p>2 Q. And let me separate this out.</p> <p>3 Okay. Dr. Scott, I'm going to hand you the</p> <p>4 deposition notice in this case.</p> <p>5 BY MS. KINSELLA: And, Mr. Buntin, if you would</p> <p>6 like to take a look at it --</p> <p>7 BY MR. BUNTIN: I've got one.</p> <p>8 BY MS. KINSELLA: Okay.</p> <p>9 Q. Have you seen this Notice of Deposition before?</p> <p>10 A. I have.</p> <p>11 Q. Okay. If you flip over to where it looks like Page</p> <p>12 -- really the start of Page 4, there's an Exhibit A --</p> <p>13 unfortunately, we are back to letters again --</p> <p>14 A. Yes.</p> <p>15 Q. -- attached to this deposition notice.</p> <p>16 A. Yeah.</p> <p>17 Q. Did you review this Exhibit A before your deposition</p> <p>18 today?</p> <p>19 A. I really did not spend much time with this, primarily</p> <p>20 because I thought that I had already provided all of the</p> <p>21 required Rule 26 stuff, plus I knew I was going to bring my</p> <p>22 whole file with me.</p> <p>23 Q. Okay. All right. I want to run through these with</p> <p>24 you just real fast and make sure --</p> <p>25 A. Sure.</p>

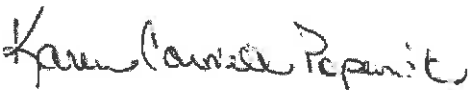
LOLITA PENNINGTON V. SHARANJIT PARMAR, ET AL.
Ralph D. Scott on 01/09/2018

Page 41

1 CERTIFICATE OF COURT REPORTER

2 I, KAREN CARNELL POPERNIK, MS CCR 1276,
3 TN LCR 469, Notary Public commissioned by the State of
4 Mississippi, do hereby certify that the foregoing pages, and
5 including this page, contain a true and correct transcript of
6 the testimony of the witness, DR. RALPH D. SCOTT, as taken by
7 me at the time and place heretofore stated, and later reduced
8 to typewritten form to the best of my skill and ability; that I
9 placed the witness under oath to truthfully answer all
10 questions in this matter by the authority vested in me by the
11 State of Mississippi and the State of Tennessee; that the
12 signature of the witness was expressly waived; and that I am
13 not in the employ of, or related to, any counsel or party in
14 this matter, and have no interest, monetary or otherwise, in
15 the final outcome of the proceeding.

16 Witness my signature and seal on this the 9th day of
17 January, 2018.

18 
19

20 KAREN CARNELL POPERNIK,
21 MS CCR 1276, TN LCR 469
22 My Commission Expires: 3/5/20
23
24
25